

ORDINANCE NO 2 SERIES 1952

AN ORDINANCE PROVIDING FOR THE TAXING AND KILLING OF DOGS, AND REPEALING ORDINANCES IN CONFLICT THEREWITH. IMPOSING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

The People of the city of Elgin do ordain as follows:

Section 1. It is hereby made unlawful for any person or persons to keep a dog, required by Sec. 32-2414, Oregon Compiled Laws Annotated, to have a license, within the limits of the City of Elgin, Oregon, unless the owner or person having such a dog in charge procures a license therefor as required by Sec. 32-3414, Oregon Compiled Laws Annotated. A metal license plate, with appropriate number, shall be placed upon the dog for which the license is issued and no person shall cause or permit such metal tag to be put upon any other dog than the one for which it is issued.

Section 2. It shall be unlawful for any owner or person having in charge any dog kept or owned within the City of Elgin, Oregon to permit such dog to run at large within the said city at any time without such dog having been regularly licensed as herein provided, it shall be unlawful for the owner or person having in charge any such dog within the City of Elgin, to permit such dog to run at large within the City of Elgin, between the hours of 6 P.M., and 10 A.M., the following morning, during the months from the 1st day of April until the 1st day of October, inclusive of each year. No slut or female dog in time of heat, whether licensed or not shall be permitted to run at large or be upon the public streets or alleys of the City of Elgin at any time during such period of heat, unless such slut or female dog be muzzled and led by rope or chain, by the owner or keeper thereof, and no mad dog or vicious dog shall be permitted to run or be upon the public streets or alleys of the said City of Elgin, unless they be muzzled, and led by rope or chain by the keeper thereof, and it shall be lawful for any person to kill such mad or vicious dog so found at large.

Section 3. It shall be the duty of the police, and they are hereby authorized to seize, impound and to sell or kill any and all dogs found by them within the limits of the City of Elgin, running at large contrary to the provisions of this ordinance. Upon the taking up and impounding of any such animal, the police shall post a notice on the City Bulletin Board, and shall send a similar notice to the owner of such dog, if the name of such owner and address is known. Such notice shall state that unless the owner of such dog, or other person having an interest therein, shall claim possession of the same and pay all fees and charges of impounding, keeping or advertising same, together with the sum due for a license thereon, as hereinbefore provided, within two days from the date of such notice, the police will proceed to sell the animal at the time from the date thereof, to the highest bidder for cash. Such sales shall be public and no bids in any case shall be received for any animal for a sum less than the fees and charges for impounding, advertising, keeping or selling the same, together with an amount sufficient to procure a license on said animal if the said animal is to be kept within the City of Elgin, for which last amount the purchaser or owner shall receive a license upon such animal for the current license year. The police shall charge and collect for impounding dogs, a fee of \$2.00 for each dog, and for keeping dogs a sum not to exceed fifty cents per

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day for each dog, and all such fees shall be turned into the City Treasurer. In case a sufficient sum is not bid for any dog to pay all fees, charges

Section 3. (Cont.) and license fees upon the same, the police are authorized and empowered to kill said animal and make suitable disposition of the carcass.

Section 4. No person or persons shall hinder or molest any person or persons who may be engaged in seizing any dog, killing, or removing the carcass, in conformity with this ordinance.

Section 5. It shall be the duty of the police to make complaint for violations of this ordinance, and all moneys received by the police under the provisions hereof shall be at once deposited with the Recorder-Treasurer of said City and proper receipts taken therefor, and one copy of the receipt filed with said Recorder-Treasurer.

Section 6. Any person or persons violating any provision or this ordinance, upon conviction therefor shall be punished by a fine of not more than \$25.00 or imprisonment in the City Jail not more than ten days, or both such fine and imprisonment, and in case of default in the payment of any such fine, such person shall be confined in the City Jail for one day for each two dollars of such fine,

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. It is hereby declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall take effect, and be in full force and effect from the date of its passage and approval by the City Commission.

Passed and adopted by the Common Council this _____ day of _____, 1952, by _____ Councilmen voting therefore.

Approved this _____ day of _____, 1952.

MAYOR

ATTEST:

RECORDER* - TREASURER